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SUBJECT: LAO HMONG: THAIS OPEN INFORMAL DIALOGUE ON NONG  
KHAI GROUP

Classified By: Charge' a.i., James F. Entwistle, for reasons 1.4 (b, d)

11. (C) On April 22, the Ministry of Foreign Affairs invited representatives from the four countries that have received UNHCR referrals of the 158 recognized refugees detained for over two years in the Nong Khai Immigration Detention Center - the U.S. (70 referrals), Australia (47), Canada (16) and the Netherlands (26) - to explore what it termed "out of the box" solutions for the group. UNHCR was also represented by its regional representative, Raymond Hall. MFA International Organizations Deputy Director Ittiporn Boonpraong told the group that progress in returning Lao Hmong from the Petchabun army camp had eased Government of Laos (GOL) objections to resettling the smaller Nong Khai group to third countries. According to Ittiporn, the GOL no longer demanded that the Petchabun issue be "solved" before the Nong Khai group, could be addressed. However, Ittiporn stated that the GOL continues to insist that all Nong Khai refugees must return to Laos before resettlement can take place. The return is necessary in order to issue Lao identify and travel documents and, most importantly, demonstrate that the Hmong can return safely - required "to preserve national dignity."

12. (C) Reaction by the resettlement countries, and UNHCR, was cool. UNHCR's Hall acknowledged that his organization had proposed such a compromise in April 2007 as a special measure to address the difficult humanitarian situation in the Nong Khai jail. However, it was a risky venture that was workable only if: 1.) the refugees returned to Laos on a truly voluntary basis; 2.) there were verifiable guarantees in place from the Royal Thai Government (RTG) and GOL regarding the duration of stay in Laos (preferably very brief); and 3.) UNHCR and resettlement countries were able to monitor the refugees the entire period they were awaiting departure from Laos. RefCoord suggested that a formal tri-partite MOU between the two governments and UNHCR on the details of the arrangement would be necessary. In addition, all U.S.-bound Lao Hmong refugees would have to be travel-ready before leaving Thailand. This meant that the RTG would have to provide (for the first time) full access to the Nong Khai group to the Overseas Processing Entity, DHS officers, and the International Organization for Migration (which handles refugee medical exams). RefCoord also noted that a number of the Nong Khai refugees have immediate family members detained in the Petchabun camp, and/or living freely in a nearby province, who would have to be included in the resettlement.

13. (C) The Australian Embassy's political counselor expressed "shock" at the RTG proposal, complaining it conflicted with private assurances given to the Australian Foreign Minister by FM Kasit in February. The Australian

government believed that Kasit had promised resettlement of the Nong Khai group directly from Thailand - "and soon, too!" (Comment: We have never received any such assurance. It is possible the Australians assumed FM Kasit's use of the term "resettlement" meant departure from the country of first asylum - Thailand - as is international practice. End Comment.) The Netherlands Embassy indicated it would have to consult with The Hague before it could respond to the proposal, and the Canadian Embassy was unable to attend the meeting.

14. (SBU) MFA's Ittiporn stated this was the first in a series of "informal problem solving" meetings on the Nong Khai refugees, and that if agreement was reached on a possible solution the RTG would attempt to win GOL concurrence. There is no date yet for the next gathering, however. We will report on any further progress.  
ENTWISTLE